

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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2005 APR -8 P 12:51

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JOHN DEREK MURPHY,

Petitioner,

U.S. DISTRICT COURT
DISTRICT OF MASS
Civil Action No. 05-10548-JLT

vs.

MICHAEL THOMPSON,
Superintendent, MCI Shirley,

Respondent.
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**RESPONDENT'S MOTION FOR EXTENSION OF TIME IN WHICH TO
RESPOND TO PETITION FOR WRIT OF HABEAS CORPUS**

The respondent, Michael Thompson, through counsel, now appears and requests an extension of the time in which he must file a motion to dismiss or other responsive pleading in response to the petition for writ of habeas corpus for a period of forty-five (45) days, up to and including June 3, 2005. In support of the motion, the respondent states that, pursuant to this Court's order, an answer or other responsive pleading is currently due to be filed by April 19, 2005. The undersigned assistant attorney general is still awaiting receipt of the state materials concerning the petitioner's conviction, which are necessary for counsel to review before formulating an appropriate response to the petition. Moreover, between today's date and the date of the requested extension, the undersigned assistant attorney general is responsible for the following matters: filing three appellate briefs (two in the United States Court of Appeals for the First Circuit, one in the Massachusetts Appeals Court); filing a response to a petition before the Single Justice of the Massachusetts Supreme Judicial Court pursuant to M.G.L. ch. 211, § 3; filing a memorandum of law on the merits of a petition for a writ of habeas corpus in the United

States District Court for the District of Massachusetts; filing a response to another federal habeas petition; presenting oral argument in the First Circuit Court of Appeals on an appeal of the denial of a habeas petition; preparing a client to give testimony and representing the client at a hearing before the Criminal History Systems Board; and management of a number of additional ongoing litigation matters.

WHEREFORE, the respondent respectfully requests that this Court grant him until June 3, 2005, to file a responsive pleading to the petition for writ of habeas corpus.

Respectfully submitted,

MICHAEL THOMPSON,
Superintendent, MCI Shirley,

By his attorney,

THOMAS F. REILLY,
ATTORNEY GENERAL




Maura D. McLaughlin
Assistant Attorney General
Criminal Bureau
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BBO # 634923

Dated: April 7, 2005

CERTIFICATE OF SERVICE

I hereby certify that I have this 7th day of April, 2005, served a true and accurate copy of the foregoing pleading on the petitioner, John Derek Murphy, by depositing a copy in the office repository for collection and delivery by first class mail, postage prepaid, to the petitioner at the following address: John Derek Murphy, Prisoner No. W68679, M.C.I. Shirley, Post Office Box 1218, Shirley, Massachusetts, 01464.


Maura D. McLaughlin